19 46. **File No.** Fees II Dwr 46.

K **Legal DEPARTMENT**

C **BRANCH**

P.10(E) 1946

Subject :—

Application for enhanced fees from the D.G.P, P.P. and his Assistants Dharwar District

File No. Fees II Dwr/46.

Std. Sectt. Slip 24-B

234-C

C O N T E N T S.

Legal Department.

Vol. - Fees. II Dharwar/46.

Sr.No.	Compilation No.	Subject.	Pages.
	Fees II Dharwar/46	Application for enhanced fees from the D.G.P., P.P. and his Assistants - Dharwar Distt.	
1.	R.I. No. 10245, 22-11-45.	Letter from Shri S.R.Malapur Re:. payment of enhanced fees in C.A. No.123/43.	1—9

C O N T E N T S.

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Legal Department
File No. 10243
Sub No. C/221
Branch

1 3 4

No. 531
Office of the Dist. Govt. Pleader, Dharwar.
Dated:- 15-11-45.

To

The Remembrancer of Legal Affairs,
Bombay.

Subject:- Payment of enhenced fees in C.A.No.123/43.

Sir,

I have the honour to invite your kind attention to G.R.L.D. No.3750 dated 24th May 1943 and R.L.A.'s Memo No. Slip A 6655 dated 5th October 1943 in L.C.Sno.331/1939 ~~from~~ in which this appeal is ~~fixed~~ filed, and to request you to kindly sanction a similar payment to me of Rs. an enhanced fee of Rs.50/- inclusive of taxed fees in this appeal no.123/43. The bills in respect of the taxed fees have been separately submitted in this office No.530.

Your obedient servant,

S R Malvan

Asst. District Government Pleader.

No. 9081

Legal Department.
Secretariat
Bombay Castle, 5th December

Returned.

The Asstt. Govt. Pleader, Dharwar
is requested to submit his application through
the Collector and the District Judge, Dharwar. The
application should be accompanied by a
Certificate (in original) of the date of attendance
in Court and a copy of the judgement or order
and the proceeding as required by Sub 26(2)
of the Bom. Offices (Conditions of Service) Rules, 1985.

R. M. Mehta
Assistant Secretary to Govt.
5/12

3. 5

R.I.No. 912.
dt. 31. 1. 46.

Submitted.

2. This is an application p.1 from the Asstt. Govt. Pleader, Dharwar, for an enhanced fee of Rs. 50/- inclusive of taxed fees for conducting Civil Appeal No. 123/43, on 11th and 12th April 1945.

3. The District Judge p.8 recommends a fee of Rs.50/- inclusive of the taxed fees and states that the appeal was a complicated one. The Collr. of Dharwar also p.9 concurs with the District Judge. It is pointed out that the A.G.P. was given an enhanced fee of Rs. 50/- in C.S. No. 331/39 in which the present C.A. No.123/43 was filed.

G.M.L.D. No. 6653, 5-10-43 p. 13 of file Fees II-Dwr/43-Slip T.

4. In view of the recommendations of the local Officers, an enhanced fee of Rs.50/- inclusive of taxed fee in C.A. No. 123/43, may be sanctioned under rule 26(1) of Law Officers (Conditions of Service) Rules, to the A.G.P., Dharwar, after u.r. to F.D.

KD 13/2

Sup Dr.

ALR

In C.S. No. 331 of 1939 from which the present Appeal has arisen the A.G.P. was given an enhanced fee of Rs. 50/- inclusive of the taxed fee. In view of this fact that the matter was already studied by the A.G.P. a fee of Rs. 35/- inclusive of the taxed fee would suffice and the same may be sanctioned after u.o.r. to F.D

X Orde L D 17 Mar. 39 No 66 dt. 11.4.40 p 13 of Fees II Dr. /43

FINANCE DEPARTMENT
File No. F
20/2/46.
Serial No.

A.S. I agree with A!

ALR 19/2

R.L.A. 19/2/46

o With L.D file. Fees II Dwr/43.

o u.r. to F.D. No. 1415 dt 20-2-46

F(1).

Please see F.(1) note d/19-9-43 d/p.12 in L.(1) file no. Fin II OWR/43. The proposal d/q awaiting may be agreed to.

26-2-46

DTH 27/2

... to L.(1). d/29-2-46 (with enc)

E&O

L. D. 28 FEB 1948 C

... 1836 ✓
... 1-3-46.
... C

L.D.

Submitted.

2. The F.D. has agreed to the payment of Rs. 35/- as inducement fee (inclusive of Local fee) to the A.F.S. Bhawani in C.A. No. 123 of 1943.

3. Necy. memo is attached the same is put up for approval.

VRI 1/3

Sup R 2/3

A.S. RW 4/3/46

A.L.R. 4/3

Returned with memo dated 27/2

5 F 1
75-

Office of the
Public Prosecutor, Dharwar.
3rd April 1946.
No. 729

To

The Remembrancer of
Legal Affairs,
to the Government of Bombay,
BOMBAY

Sir,

I have the honour to invite your kind attention to the Judgment of the Sub-Divisional Magistrate IV Division Dharwar in Criminal case No. 105 of 1944. The accused in this case were charged with the offence of abetting of illicit transport of ground-nut seeds from Ranebennur to Harihar, a place in Mysore state.

There were at the Trial eleven accused (four having been discharged at earlier stage). Out of them accused No. 11 is the Revenue Aval Karkun, and accused No. 12 is the Sub-Inspector of Ranebennur. Accused Nos. 13 and 14 are Police constables. Some four of the remaining accused are merchants and the others are their clerks and agents. This case was an important one from more points of view than one and was equally complicated and heavy.

R
4-4-46

There were 36 witnesses examined. The learned Magistrate by his judgment dated 27-3-1946 has convicted accused Nos. 1, 2, 7, 11, 12, 13 & 14 of the offences under rule 81(4) read with Rule 121 and sentenced them to pay fines as specified therein.

I beg to request that looking to the importance of the case and the amount of work done, Government may be pleased to sanction enhanced fees at the rate of Rs. 50 day.

Your obedient servant.

Certificate of attendance
and a true copy of the judgment
are attached hereto.

Public Prosecutor, Dharwar.

Forwarded with compliments through
the Sub-divisional Magistrate First Class, Dharwar city
and District Magistrate, Dharwar.

B Dawar Jr
Public Prosecutor, Dharwar.

Submitted to the D.M. Dharwar

The case was really an important & complicated one. There were 6 or 7 defence pleaders who raised a number of subtle law points at every steps. The Public Prosecutor had to take much trouble to meet those points & to tackle the witnesses who have turned hostile. I therefore think that he deserves enhanced fees.

5-4-46

M Mathur
Addl Sub Divisional
Magte Dharwar city.

6.4.46

No cc 1051/44
Dharwar 6-4-46

Submitted to the District Magistrate

Dharwar.

SECRETARY TO GOVERNMENT
LEGAL DEPARTMENT
File No. 3674
Sub No. 29-4-46

L. D.
29 APR 1946

S.D.M Dharwar city

8/4/46

No. MAGSR 804
25-4-1946

Forwarded w/c to the Remembrancer of Legal Affairs Bombay.

2/- There were no intricate questions of law and facts in the case. I do not think there is a case for enhanced fees.

3/- Judgment copy is enclosed.

Dist. Magte. Dharwar

Legal Department.
R.I. No. 3674/d/ 29-4-46.

Submitted.

2. This is an application from the Public Prosecutor, Dharwar for an enhanced fees for conducting Criminal Case No. 105 of 1944 before the Sub Divisional Magistrate @ the rate of Rs 50/- for 36 days.

3. The P.P. states that the accused in this case were charged with the offence of abetting of illicit transport of ground nuts seeds. There were 11 accused out of which one was Revenue Aval Karkun, one was Sub-Inspector of Police and two constables. This case was an important one from more points of view than one and was equally complicated and heavy. There were 36 witnesses examined. The case resulted in convictio of 7 accused. He has forwarded the certificate of attendance and a copy of the judgement and requests for an enhanced fees of Rs.50/- per day.

4. The Trying Magistrate ~~has simply forwarded the application to~~ for the reasons stated in his end. states that the P.P. deserves the enhanced fee : Dharwar D.M., Dharawar/ The D.M./states that there were no intricate questions o law and facts in the case and adds that he does not think there is a case for enhanced fees.

5. In view of the opinion of the D.M, Dharwar, it is for consideration whether any enhanced fees should be granted to the P.P., Dharwar in this case.

SW 7-5

In view of the recommendation of the D.M. Dharwar the request for enhanced fee asked for may be refused.

Suggest.

9/5

A.L.R. In view of D.M's opinion I don't think we can sanction enhanced fee. 10/5

Secy. Reject
Bowen
15/5/46

The P.P. Dharwar was informed accordingly under L.D. Memo No. 4142, 4/6/1946.